

05-17-04

RCE/1635 #  
JFL

DOCKET NO.: ISRT-0327

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Brenda F. Baker, Kenneth Dobie and** Confirmation No.: 1275

**Mark P. Roach**

**Application No.: 10/000,213** Group Art Unit: 1635

**Filing Date: November 14, 2001** Examiner: Terra C. Gibbs

**For: ANTISENSE MODULATION OF VITAMIN D NUCLEAR RECEPTOR  
EXPRESSION**

05/18/2004 HAL111 00000065 233050 10000213

EXPRESS MAIL LABEL NO: EL997980170US  
DATE OF DEPOSIT: May 14, 2004

01 FC:1801 770.00 DA  
02 FC:1252 420.00 DA

EL997980170US

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT  
TO 37 CFR § 1.114**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

Previously submitted

Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Other:

Enclosed

Amendment/Reply under 37 CFR § 1.116

Affidavit(s)/Declaration(s)

Information Disclosure Statement (IDS)

Other:

## 2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of      months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

## FEE CALCULATION:

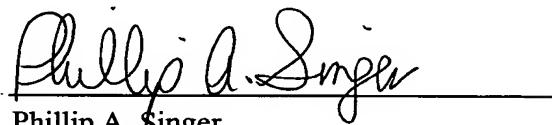
				SMALL ENTITY	NOT SMALL ENTITY		
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$385.00	\$	\$770.00	\$770.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	14	29	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	1	3	0	\$43 EACH	\$	\$86 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$420.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME <small>(May only be taken when filing RCE in lieu of Appeal Brief)</small>				\$1005	\$	\$2010	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
TOTAL FEE DUE					\$		\$1190.00

A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

- Please charge Deposit Account No. 23-3050 in the amount of \$1190.00. This sheet is attached in duplicate.
- A response to the Office Action dated December 16, 2003 was due on March 16, 2004. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from March 16, 2004 to and through May 16, 2004 comprising an extension of the shortened statutory period of two month(s).
- A Notice of Appeal was filed . An Appeal Brief is due on . Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from to and through comprising a total extension of month(s).
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: May 14, 2004



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DOCKET NO.: ISRT-0327 (RTS-0327)  
Application No.: 10/000,213  
Office Action Dated: December 16, 2003

PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**Brenda F. Baker , Kenneth Dobie, Mark P. Roach**

Confirmation No.: **1275**

Application No.: **10/000,213**

Group Art Unit: **1635**

Filing Date: **November 14, 2001**

Examiner: **Terra C. Gibbs**

For: **Antisense Modulation of Vitamin D Nuclear Receptor Expression**

**EXPRESS MAIL LABEL NO: EV302214302US**  
**DATE OF DEPOSIT: May XX, 2004**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY PURSUANT TO 37 CFR § 1.116**

In response to the Advisory Action dated **March 26, 2004** and the final Official Action dated **December 16, 2003**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below. A Request for Continuing Examination under 37 C.F.R. § 1.114 accompanies this response. A petition for extension of time for two (2) months through **May 16, 2004**, and the appropriate fee accompany this response.

- Amendments to the Specification** begin on page \_\_\_\_\_ of this paper.
- Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- Amendments to the Drawings** begin on page \_\_\_\_\_ of this paper and include an attached replacement sheet.
- Remarks/Arguments** begin on page 4 of this paper.